United States Court of Appeals

for the

District of Columbia Circuit

TRANSCRIPT OF RECORD

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Court of Appeals, District of Columbia

OCTOBER TERM, 1908.

No. 1952. 603

No. 27, SPECIAL CALENDAR.

CECIL FRENCH, PLAINTIFF IN ERROR,

vs.

THE DISTRICT OF COLUMBIA.

IN ERROR TO THE POLICE COURT OF THE DISTRICT OF COLUMBIA.

FILED AUGUST 31, 1908.

Court of Appeals, District of Columbia

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THE DISTRICT OF COLUMBIA.

IN ERROR TO THE POLICE COURT OF THE DISTRICT OF COLUMBIA.

INDEX.

JUDD & DETWEILER (INC.), PRINTERS, WASHINGTON, D. C., SEPTEMBER 16, 1908.

In the Court of Appeals of the District of Columbia.

No. 1952.

CECIL FRENCH, Plaintiff in Error,
vs.
THE DISTRICT OF COLUMBIA.

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a No. 324,453.

In the Police Court of the District of Columbia, August Term, 1908.

DISTRICT OF COLUMBIA
vs.
CECIL FRENCH.

Information for Violation of Police Regulation and Law Relating to Dogs.

Be it remembered, That in the Police Court of the District of Columbia, at the City of Washington, in the said District, at the times hereinafter mentioned, the following papers were filed and proceedings had in the above entitled cause, to wit:

1 (*Information.*)

In the Police Court of the District of Columbia, July Term, A. D. 1908.

THE DISTRICT OF COLUMBIA, *ss:*

Edward H. Thomas, Esq., Corporation Counsel, by James L. Pugh, Jr., Esq., Assistant Corporation Counsel, who for the District of Columbia prosecutes in this behalf in his proper person, comes here into Court and causes the Court to be informed, and complains that Cecil French, late of the District aforesaid, on the 30th day of July, in the year A. D. nineteen hundred and eight, in the District aforesaid, on 18th Street, northwest, being the owner of a certain dog, did permit said dog to go at large without a good, substantial muzzle, securely put on so as to prevent it from biting or snapping, contrary to and in violation of the Police Regulations of the District of Columbia, and constituting a law of said District.

EDWARD H. THOMAS,
Corporation Counsel,
By JAMES L. PUGH, JR.,
Assistant Corporation Counsel.

Personally appeared J. S. Boswell this 31st day of July, A. D. 1908, and made oath before me that the facts set forth in the foregoing information are true, and those stated upon information received he believes to be true.

[Seal Police Court of District of Columbia.]

L. F. ENGLESBY,
Deputy Clerk Police Court of the District of Columbia.

Filed Jul- 31, 1908.
F. A. SEBRING,
Clerk Police Court, D. C.

2 Police Court.

No. 324,453.

DISTRICT OF COLUMBIA
v.
CECIL FRENCH.

Motion to Quash.

The defendant moves to quash the information and warrant on the ground that the supposed regulation whose provisions he is charged with violating confers no jurisdiction on this Court.

CHAUNCEY HACKETT,
Attorney for Defendant.

Filed Aug. 5, 1908.
F. A. SEBRING,
Clerk Police Court, D. C.

3 Police Court.

No. 324,453.

DISTRICT OF COLUMBIA
v.
CECIL FRENCH.

Demurrer.

The defendant says that the information is insufficient in law.

CHAUNCEY HACKETT,
Attorney for Def't.

The facts set forth in the information do not constitute any crime.

Filed Aug. 7, 1908.
F. A. SEBRING,
Clerk Police Court, D. C.

4 (EXHIBIT.)

L. R. 234,221—47 C. O. 169,073.

EXECUTIVE OFFICE,
COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
WASHINGTON, *June* 16, 1908.

Ordered:

That under the provisions of Section 7 of the Act of Congress approved June 19, 1878, entitled "An Act to create a revenue in the District of Columbia by levying a tax upon all dogs therein, to make such dogs personal property and for other purposes," the Commissioners hereby give notice that every dog in said District shall, for a period of six months from this date, wear a good and substantial muzzle, securely put on, so as to prevent it from biting or snapping; and any dog going at large during said period without such muzzle, shall be taken up by the poundmaster and impounded.

Official copy.

By order:

[OFFICIAL SEAL.] WILLIAM TINDALL, *Secretary.*

Officially published in the Evening Star of June 17, 1908.

Filed Aug. 7, 1908.
F. A. SEBRING,
Clerk Police Court, D. C.

5 In the Police Court of the District of Columbia.

No. 324,453.

DISTRICT OF COLUMBIA
v.
CECIL FRENCH.

Bill of Exceptions.

At the trial of this cause on the 7th day of August, 1908, District of Columbia offered and gave evidence tending to show that on the day and at the place named in the information a certain dog, belonging to the defendant was at large without a muzzle; and offered and gave in evidence a copy of a proclamation made by the Commissioners of the District of Columbia on June 18th, as follows:

"Ordered:—That under the provisions of section 7 of the act of Congress approved June 19th, 1878, entitled, An Act to create a revenue in the District of Columbia by levying a tax upon all dogs therein, to make such dogs personal property, and for other purposes, the Commissioners hereby give notice that every dog in said District shall, for a period of six months from this date, wear a good and substantial muzzle, securely put on, so as to prevent it from

biting or snapping, and any dog going at large during said period without such muzzle, shall be taken up by the poundmaster and impounded." And thereupon the said defendant by his counsel objected to the admission of said proclamation, on the ground that it was not accompanied by the supposed police regulation issued in connection therewith; and the Court then and there took judicial notice of said supposed police regulation, as follows:—

"Ordered:—That under authority of the Acts of Congress approved May 29th, 1884, and January 26, 1892, the following Police Regulation is hereby made as section 2-*a*, Article 7, of the Police Regulations of the District of Columbia and that the words or two a are added after the word two in section — of said Police Regulations:

SEC. 2-*a*. And whenever, by reason of any proclamation issued by the Commissioners, dogs going at large are required to wear muzzles, no person owning or having custody of any dog shall permit it to go at large without a good, substantial muzzle, securely put on, so as to prevent it from biting or snapping."

6 To the admission of all of which evidence, the defendant duly objected on the following grounds:

1. That the said supposed police regulation was void and without authority of law.

2. That all of said evidence was incompetent, irrelevant, and immaterial. But the Judge presiding overruled said objections; to which several actions of the court the defendant by this counsel there and then excepted.

And there the District of Columbia rested.

And thereupon the said defendant, by his counsel, moved the court to discharge him, the said defendant, as not guilty of the charge laid in the information on the following grounds:

1. That the supposed police regulation under which the said information was filed was void, as being without authority of law.

2. That the supposed police regulation under which said information was filed confers no jurisdiction on this court.

3. That the evidence failed to show the defendant guilty of any offence known to the law.

But the Judge presiding overruled the said motion; to which action of the court the defendant then and there excepted and prayed the court to sign and seal a bill of exceptions which is accordingly done this 8th day of August, 1908, and which is now signed and sealed on said day as of said day of trial.

August 8th, 1908.

GEORGE C. AUKAM, *Justice.* [SEAL.]

Filed Aug. 8, 1908.

F. A. SEBRING,
Clerk Police Court, D. C.

7 (*Copy of Docket Entries.*)

In the Police Court of the District of Columbia, August Term, A. D. 1908.

No. 324,453.

DISTRICT OF COLUMBIA
vs.
CECIL FRENCH.

Information for Violation of Police Regulation and Law Relating to Dogs.

Monday, August 3, 1908.—Continued to August 5, 1908. Personal recognizance in the sum of $100 entered into to appear in the Police Court.

August 5, 1908.—Motion to quash filed, argued and submitted. Continued to August 7, 1908.

August 7, 1908.—Motion to quash overruled. Demurrer to information filed, argued and submitted. Demurrer overruled. Plea: Not guilty. Judgment: Guilty. Sentence: To pay a fine of five dollars, and, in default, to be committed to the Workhouse for the term of fifteen days.

Exceptions taken to the rulings of the Court on matters of law and notice given by the defendant in open court at the time of the several rulings of his intention to apply to a Justice of the Court of Appeals of the District of Columbia for a writ of error.

Recognizance in the sum of fifty dollars entered into on writ of error to the Court of Appeals of the District of Columbia upon the condition that in the event of the denial of the application for a writ of error, the defendant will, within five days next after the expiration of ten days, appear in the Police Court and abide by and perform its judgment, and that in the event of the granting of such writ of error, the defendant will appear in the Court of Appeals of the District of Columbia and abide by and perform its judgment in the premises. James B. Lambie, surety.

August 8, 1908.—Bill of exceptions filed, settled, signed and sealed.

August 25, 1908.—Writ of error received from the Court of Appeals of the District of Columbia.

8 In the Police Court of the District of Columbia.

UNITED STATES OF AMERICA,
District of Columbia, ss:

I, N. C. Harper, Deputy Clerk of the Police Court of the District of Columbia, acting in the absence of the Clerk, do hereby certify *that* the foregoing pages, numbered from 1 to 7 inclusive, to be true copies of originals in cause No. 324453 wherein the District of Co-

lumbia is plaintiff and Cecil French defendant, as the same remain upon the files and records of said Court.

In testimony whereof I hereunto subscribe my name and affix the seal of said Court, — the City of Washington, in said District, this 29th day August, A. D. 1908.

[Seal Police Court of District of Columbia.]

N. C. HARPER,
Deputy Clerk Police Court, Dist. of Columbia.

9 Filed Aug. 25, 1908. F. A. Sebring, Clerk Police Court.

UNITED STATES OF AMERICA, *ss:*

The President of the United States to the Honorable George C. Aukam, Judge of the Police Court of the District of Columbia, Greeting:

Because in the record and proceedings, as also in the rendition of the judgment of a plea which is in the said Police Court, before you, between The District of Columbia, plaintiff, and Cecil French, defendant, a manifest error hath happened, to the great damage of the said defendant as by his complaint appears. We being willing that error, if any hath been, should be duly corrected, and full and speedy justice done to the parties aforesaid in this behalf, do command you, if judgment be therein given, that then, under your seal, distinctly and openly, you send the record and proceedings aforesaid, with all things concerning the same, to the Court of Appeals of the District of Columbia, together with this writ, so that you have the same in the said Court of Appeals, at Washington, within 15 days from the date hereof, that the record and proceedings aforesaid being inspected, the said Court of Appeals may cause further to be done therein to correct that error, what of right and according to the laws and customs of the United States should be done.

Witness the Honorable Seth Shepard, Chief Justice of the said Court of Appeals, the 25th day of August, in the year of our Lord one thousand nine hundred and eight.

[Seal Court of Appeals, District of Columbia.]

HENRY W. HODGES,
Clerk of the Court of Appeals of the District of Columbia.

Allowed by
CHARLES H. ROBB,
Associate Justice of the Court of Appeals of the District of Columbia.

Endorsed on cover: District of Columbia police court. No. 1952. Cecil French, plaintiff in error, *vs.* The District of Columbia. Court of Appeals, District of Columbia. Filed Aug. 31, 1908. Henry W. Hodges, clerk.

Court of Appeals, District of Columbia.

OCTOBER TERM, 1908.

No. 1952.

SPECIAL CALENDAR, No. 27.

CECIL FRENCH, PLAINTIFF IN ERROR,

v.

THE DISTRICT OF COLUMBIA.

BRIEF FOR DEFENDANT IN ERROR.

EDWARD H. THOMAS,
FRANCIS H. STEPHENS,
Attorneys for Defendant.

JUDD & DETWEILER (INC.), PRINTERS, WASHINGTON, D. C.

Court of Appeals, District of Columbia.

OCTOBER TERM, 1908.

No. 1952.

SPECIAL CALENDAR, No. 27.

CECIL FRENCH, PLAINTIFF IN ERROR,

v.

THE DISTRICT OF COLUMBIA.

BRIEF FOR DEFENDANT IN ERROR.

STATEMENT OF THE CASE.

On the 7th day of August, 1908, the plaintiff in error, Cecil French, was tried in the police court, and convicted, of permitting a certain dog, of which he was the owner, to run at large in the city without having a muzzle, in violation of the police regulations.

On behalf of the prosecution evidence was given to show that the plaintiff in error was the owner of the dog in question, and that the dog was running at large without a muzzle. The proclamation of the Commissioners of June 18, found at the bottom of page 3 of the record, ordering that all dogs running at large should be securely muzzled for a

period of six months from that date, was offered in evidence. This was objected to on the ground that it was not accompanied by the police regulation "issued in connection therewith," whatever the phrase quoted may mean. Thereupon the police judge took judicial notice of the said police regulation, and the same is set out, inaccurately, in the record, page 4.

"To the admission of all of which evidence" the defendant, plaintiff in error, objected, on the grounds:

1. The said supposed regulation was void and without authority of law.

2. The evidence was incompetent, irrelevant, and immaterial.

The objections were overruled.

The defendant then moved the court to discharge him because:

1. The regulation was void.

2. The court was without jurisdiction.

3. The evidence failed to show that the defendant was guilty of any offense known to the law.

This motion was denied and the defendant adjudged guilty.

ARGUMENT.

It is difficult to determine from this record the exact point of law or fact, if any, which is open to dispute.

Whether the judge presiding in the police court erred in taking judicial notice of the police regulation does not arise in this case, because there is no exception to this action. If the question does arise, the law is well settled that a municipal court will take judicial cognizance of the ordinances in force in the particular municipality.

16 Cyc., 898, text and note 43.

27 Am. & Eng. Enc., 938.

It is assumed, however, that the point to be raised is the legality of the fine imposed by the regulation.

The police regulations as they stood at the time of the offense charged and at the time of trial, and now, are as follows:

ARTICLE VII.

Dogs and Fowls.

"SEC. 1. (Relates to barking dogs.)

"SEC. 2. No animal of the dog kind shall be allowed to go at large without a collar and tag, as now prescribed by law, and if he be of a quarrelsome or dangerous disposition he shall furthermore be secured by a chain or cord held by some person.

"SEC. 2*a*. And whenever by reason of any proclamation issued by the Commissioners, dogs going at large are required to wear muzzles, no person owning or having custody of any dog shall permit it to go at large without having a good, substantial muzzle, securely put on, so as to prevent it from biting or snapping.

"SEC. 3. Any person violating any of the provisions of sections one, or two, or two-*a* of this article shall, on conviction thereof, be punished by a fine of not less than five dollars nor more than twenty dollars."

The proclamation itself is:

"Ordered: That the provisions of section 7 of the act of Congress approved June 19th, 1878, entitled 'An act to create a revenue in the District of Columbia by levying a tax upon all dogs therein, to make such dogs personal property, and for other purposes,' the Commissioners hereby give notice that every dog in said District shall, for a period of six months from this date, wear a good and substantial muzzle, securely put on, so as to prevent it from biting or snapping, and any dog going at large during said period without such muzzle, shall be taken up by the poundmaster and impounded."

The act of June 19, 1878, referred to in the proclamation, is found in Abert's Digest, page 47, and the special authority is given by section seven:

"SEC. 7. Whenever it shall be made to appear to the Commissioners that there are good reasons for believing that any dog or dogs within the District are mad, it shall be the duty of the Commissioners to issue a proclamation requiring that all dogs shall, for a period to be defined in the proclamation, wear good, substantial muzzles securely put on, so as to prevent them from biting or snapping; and any dog going at large during the period defined by the Commissioners without such muzzle shall be taken by the poundmaster and impounded, subject to the provisions of section three."

Section three last referred to was amended by the act of June 30, 1902 (32 Stat., 547), and now reads:

"SEC. 3. That the poundmaster of the District of Columbia shall, during the entire year, seize all dogs running at large without the tax tag issued by the collector aforesaid attached, and all female dogs in heat found running at large, and shall impound the same; and if within forty-eight hours the same are not redeemed by the owners thereof by the payment of two dollars they shall be sold or destroyed, as the poundmaster may deem advisable; and any sale made by virtue hereof shall be deemed valid to all intents and purposes in all courts of the District of Columbia.

"SEC. 9 (of the same act). That if the owner or possessor of a fierce or dangerous dog shall permit the same to go at large in the District of Columbia, knowing the said dog to be fierce or dangerous, to the danger or annoyance of the inhabitants, he shall, upon conviction thereof, be punished by a fine not exceeding twenty dollars; and if such animal attack or bite any person, the owner or possessor thereof shall, on conviction, be punished by a fine not exceeding fifty dollars, and in addition to such punishment the court shall adjudge and order that such animal be forthwith delivered to the poundmaster, and said poundmaster is hereby authorized to kill such animal so delivered to him."

In view of the authority conferred upon the Commissioners by the foregoing acts and by the act of January 26, 1887:

"Seventh. To regulate the keeping and running at large of dogs and fowls."

And by the joint resolution of February 26, 1892, empowering the Commissioners:

"To make and enforce all such reasonable and usual police regulations * * * as they may deem necessary for the protection of lives, limbs, health, comfort and quiet of all persons, and the protection of all property within the District of Columbia"

there would seem to be no room for argument as to the legality of the regulation in question and the proclamation issued.

It will be observed that in none of the acts of Congress quoted is there punishment provided for *the owner* of any dog, except in section nine where the owner or possessor of a fierce or dangerous dog, knowing the same to be such, permits it to run at large. The punishment provided for against the owners of dogs is found in section 3, article 7, of the police regulations.

The Commissioners had no power to provide by ordinance for the confiscation of property, so Congress undertook to do this as a measure of safety to the inhabitants of the city, leaving the other matters, usually the subject of municipal regulation, to the discretion of the Commissioners.

The Commissioners would not have even the authority to pass a regulation requiring the owner of a dog to obtain a license for it.

Mayor *v.* Meigs, 1 McA., 53.

The only punishment provided is in the police regulations. If this penalty be illegal, then the law forbidding the running at large of dogs without muzzles will be at the mercy of careless or unscrupulous owners. Because, if the only remedy be the impounding of the animal, the owner, under section three quoted, will have the right to redeem it within forty-eight hours by the payment of two dollars. The animal might then be let loose upon the streets and again re-

deemed, and so on *ad infinitum*, the animal being thus continually exposed to the presence of hydrophobic dogs, liable at any minute to become mad himself, and the community, in the meantime suffering all the terror and panic which the presence of mad dogs usually inspires.

The act of Congress from which the sections quoted are taken, was passed June 19, 1878 (20 Stat., 173), and is entitled—

"An act to provide a revenue in the District of Columbia by levying a tax upon all dogs therein, to make such dogs personal property, and for other purposes."

Nearly nine years after this act has been passed and during which time it had, of course, been in continuous operation in the District, Congress saw proper to pass the act of January 26, 1887, already quoted, giving the Commissioners authority "to regulate the keeping and running at large of dogs and fowls."

If Congress had exhausted the whole subject-matter treated of in these sections, what explanation can be given for the passage of the act of 1887? The only reasonable solution possible is, that Congress, after nine years of experience with the subject, realized that there was something more to be done in the way of municipal regulation, and it was, therefore, delegated to the municipal authorities for their action. If this were not enough, Congress in 1892, after five years working under the foregoing act, passed a joint resolution giving the Commissioners general power to legislate upon all general municipal matters. Speaking of this resolution, this court said, in Railroad Co. *v.* District of Columbia, 10 D. C. Appeals, at page 126:

"The resolution is so general and comprehensive in its terms, that had it been incorporated into the act of 1887, as the concluding clause of section 10, its operation could hardly be limited by the scope of the specific grants of power preceding it. But, enacted after five years of experience under the old law and in express addition to the powers

therein conferred, we think it clear that Congress intended thereby to increase the powers of the Commissioners to the full extent of those frequently, if not generally, entrusted to municipal corporations. Upon no other theory can its passage be reasonably accounted for. And instead of entering into details, as in the former act, the grant of power to make *usual* and *reasonable* police regulations was expressed in the broadest terms."

In this same case the court says, page 127:

"Whilst the courts have the undoubted power to inquire into the reasonableness of municipal regulations that affect the free exercise of the ordinary rights of persons and property, when sought to be enforced, they will not declare them invalid save in plain cases of usurpation of power or of abuse of discretion."

Article VII of the police regulations was adopted in the year 1887, including a penalty clause, has been in force ever since, and prosecutions thereunder have been frequent, and convictions numerous. Not until the present time has it been contended that the penalties prescribed were unavailing. The regulations were well and widely known to the community. Section 2*a*, however, is of recent enactment.

In this state of affairs, Congress again, on June 30, 1902 (32 Stat., 547), proceeded to take up the subject of dogs, and amended sections 3, 4, and 9 of the act of 1878. There is no repealing clause in this last act and no reference to the police regulations which had been in force for so long at the time of its passage.

There can be doubt, it is submitted, in view of this history of the subject, that Congress did not intend to interfere with any municipal regulation that might be passed, and did not interfere when it had occasion to alter its own previous laws relating thereto.

The present case affords a very good illustration of the manner in which acts of Congress and municipal regulations may stand together, neither conflicting with the other, but

each supplementing the other, and as a whole constituting a complete law, Congress having acted upon matters in which the Commissioners were powerless and having relegated merely municipal things to the proper municipal officers.

Of all classes of domestic animals, dogs have, beyond any question, been most frequently the subject of statutory enactment and police regulation.

"The police power of the State has been used to a greater extent to regulate the keeping and control of dogs and property in dogs than any other class of domestic animals."
22 Am. & Eng. Enc., 930.

"Statutes requiring the payment of a license fee, sometimes denominated a tax, for the keeping of dogs are very usual, as also are provisions requiring all dogs running at large to be muzzled. And the police power has been held to extend to authorizing the summary killing of dogs found running at large contrary to law."
Id. and cases in Note 9.

If, then, the police power can be sustained, as it frequently has been sustained, to control the very existence of the animal itself under stringent conditions, it would seem *a fortiori* that a regulation providing a penalty for permitting unmuzzled dogs to run at large, should be upheld. Such a regulation would be one looking directly to the health and comfort of the community, and there is no such property right in dogs as to question the validity or legality of such an ordinance. And even where a property right exists as to these animals, it must be subject to conditions imposed, and there is no species of property where is applied with more appropriateness or more strictness the maxim, *sic utere tuo ut alienum non laedas.*

But the regulation in question is one which seeks to protect not merely the safety of a neighborhood where dogs are kept, but to prevent the spread of a dangerous and horrible

contagion, which necessarily and frequently results in a crowded community from the keeping of these creatures.

In Sentell *v.* Railroad Company (166 U. S., at p. 705), the court says:

"Although dogs are ordinarily harmless, they preserve some of their hereditary instincts, which occasionally break forth in the destruction of sheep and other helpless animals. Others, too small to attack these animals, are simply vicious, noisy and pestilent. As their depredations are often committed at night, it is usually impossible to identify the dog or to fix the liability upon the owner, who, moreover, is likely to be pecuniarily irresponsible. In short, the damages are usually such as are beyond the reach of judicial process, and legislation of a drastic nature is necessary to protect persons and property from destruction and annoyance. Such legislation is clearly within the police power of the State. It ordinarily takes the form of a license tax, and the identification of the dog by a collar and tag, upon which the name of the owner is sometimes required to be engraved, but other remedies are not uncommon."

It is not to be denied, as the court said in the Sentell case, that—

"the higher breeds rank among the noblest representatives of the animal kingdom, and are justly esteemed for their intelligence, sagacity, fidelity, watchfulness, affection, and, above all, for their natural companionship with man; *others are afflicted with serious infirmities of temper, so as to be little better than a public nuisance. All are more or less subject to attacks of hydrophobic madness.* As it is practically impossible by statute to distinguish between the different breeds or between the valuable and the worthless, such legislation as has been enacted upon the subject, though nominally including the whole canine race, is really directed against the latter class, and is based upon the theory that the owner of a really valuable dog will feel sufficient interest in him to comply with any reasonable regulation designed to distinguish him from the common herd."

Further the court says:

"Unlike other domestic animals, they are useful neither as beasts of burden, for draught (except to a limited extent), nor for food. They are peculiar, in the fact that they differ among themselves more widely than any other class of animals, and can hardly be said to have a characteristic common to the entire race."

When, therefore, a court is confronted with the proposition whether a citizen shall, wantonly or carelessly, permit a dog to run at large during the heated season of the year, and be exposed to "hydrophobic madness," or the same shall be prevented by a wholesome punishment meted out to such a citizen, then every intendment should prevail in favor of a regulation promulgated to cover such a case.

It is submitted, finally, that the proclamation issued during the past summer is in the nature of a police regulation, of temporary duration, suited exactly to the necessities of the case, and that the punishment prescribed is neither severe nor unreasonable, and that all good citizens should observe such a regulation for the common good of the community without being inspired to good conduct by fear of punishment.

The court should sustain the regulation and proclamation and affirm the judgment appealed from.

Respectfully submitted,

EDWARD H. THOMAS,
FRANCIS H. STEPHENS,
Attorneys for Defendant.